IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2574 OF 2005
IN
FIRST APPEAL (ST.)NO.6814 OF 2005

Smt.Vijaya K. Shah & Anr. ..Applicants.

V/s.

The Collector, Solapur & Ors. ..Respondents.

Mr.Salunke for P.B.Shah for applicants.

Mr.Gawde, AGP for respondent No.1 to 3.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 12, 2006.

P.C. :

1. Heard counsel for the parties. None appears for the respondent No.4 to 20 though served. No reply has been filed by any of the respondents. In my opinion, time taken by the applicants till 30th April, 2004 will have to be excluded as the applicants were availing remedy before District Court and the appeal memo was returned to the applicants for being prosecuted before appropriate court on 30th April, 2004. The applicants have explained the delay from 30th April, 2004 for the reasons mentioned in paragraph-4 of the application. The reasons so explained have remained uncontroverted and in my opinion, sufficient cause has been made out by the

applicants. Delay therefore, deserves to be condoned in the interest of justice. Hence, application is allowed in terms of prayer clause (a).

2. Appeal be registered and placed for admission as per its turn.